

Court of Appeals, State of Michigan

ORDER

People of MI v Paul Joseph Helmka

Docket No. 262480

LC No. 03-000346-FC

Mark J. Cavanagh
Presiding Judge

Kathleen Jansen

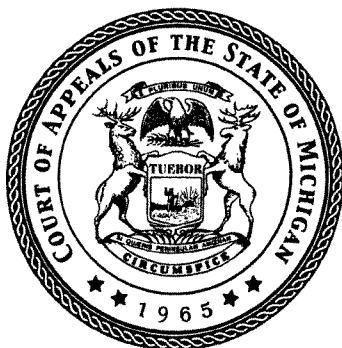
Pat M. Donofrio
Judges

The Court orders that the delayed application for leave to appeal is considered and in lieu of granting leave to appeal, the motion to remand filed by defendant-appellant's appointed counsel is GRANTED and this case is REMANDED to the Shiawassee Circuit Court, which appointed appellate counsel by order entered October 8, 2005, for further proceedings.

Appointed counsel may file an application for leave to appeal with this Court, and/or any appropriate postconviction motions in the trial court, within twelve months of the date of the Shiawassee Circuit Court's order appointing counsel. Counsel may include among the issues raised, but is not required to include, those issues raised by defendant in his application for leave to appeal to this Court.

In all other respects, leave to appeal is DENIED, because we are not persuaded that the questions presented should now be reviewed by this Court.

This Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 10 2006

Date

Sandra Schultz Mengel
Chief Clerk